

REMARKS

In the Final Office Action mailed January 9, 2008, the Examiner noted that claims 1, 4, 5, and 8-10 were pending and rejected claims 1, 4, 5 and 8-10. No claims have been amended, no claims have been canceled and no claims have been added, and, thus, in view of the foregoing, claims 1, 4, 5 and 8-10 remain pending for reconsideration which is requested. No new matter has been added. The Examiner's rejections are traversed below.

REJECTIONS under 35 U.S.C. § 102

Claims 1, 4, 5 and 8 stand rejected under 35 U.S.C. § 102(e) as being anticipated by Brown, U.S. Patent No. 6,754,211. The Applicant respectfully disagrees and traverses the rejection with an argument. Brown discusses a means of forwarding data to IP Multicast Groups.

On page 2 of the Office Action, it is asserted that Brown, col.4, lines 1-9 and col. 5, line 51 through col. 6, line 30 discloses "a broadcast station operable to distribute, according to a predetermined schedule, broadcast content associated with a VLAN (Virtual Local Area Network) number," as in claim 1. Nothing in the cited text teaches that the broadcast is distributed "according to a pre-determined schedule." The Applicant acknowledges that the cited text of deals with a timing diagram showing IP Multicast data packets arriving in a given time slot. The timeslots in Brown are not a predetermined schedule, they are merely a sequence of arriving packets. Brown

states no time to begin or end the distribution of IP Multicast packets. Therefore, even if one were to interpret a sequence as a schedule, he or she could not further state that such a schedule was predetermined, as it shows no stated beginning time, only reference to packets being received in a sequence. Further, Brown col. 5, lines 51-54 states

The timing diagram shows four IP Multicast data packets **arriving at ingress port\_1108** from source node-a 102 in data segment time slots 200a-d. The first IP Multicast **data packet arrives** in data segment time slot 200a.  
[Emphasis added]

Thus, Brown as cited does not disclose the distribution of a broadcast content, but the **receipt** of IP Multicast packets. Therefore, Brown does not disclose "a broadcast station operable to distribute, according to a predetermined schedule, broadcast content."

Further, on page 2 of the Office Action, it is asserted that Brown, col. 5, line 51 through col. 6, line 30 and col. 9, lines 4-35 discloses "one or more Layer 2 switches including one or more output ports associated with a VLAN group, wherein the Layer 2 switches are operable to receive the broadcast content based on the VLAN number and transmit the broadcast content from at least one of the one or more output ports according to a correlation between the VLAN group and the VLAN number," as in claim 1. The cited portions of Brown discuss the receipt of IP Multicast data packets and further distribution based upon belonging to a Multicast Group. As the switch is capable of

handling IP Multicast, it is not a Layer 2 switch, but at least a Layer 3 switch capable of handling IP packets, which can only be handled at the network layer (Layer 3). A Layer 2 switch is one which handles data based on MAC address (data link layer).

Further, even if one were to interpret the Layer 3 switch of Brown as a Layer 2 switch of the present claims, the switch does not transmit the broadcast content from at least one of the one or more output ports according to a correlation between the VLAN group and the VLAN number. Brown, col. 9, lines 4-14 states

Second, the CAM 400 is searched for an **entry dependent on the MPC 422, the VLAN ID 318 (FIG. 3B) and the ingress port number**. If a matching entry is found in the CAM 400, a match address 410 is forwarded to the route mapper 402. The route mapper 402 forwards an Associated Data Index ("ADI") corresponding to the match address 410 to the route table 404. An IP Multicast forwarding entry 422 is stored at a location in the route table 404 identified by the ADI 412. The IP Multicast forwarding entry 422 identifies the IP Multicast group to which the IP Multicast data packet 106 (FIG. 1) is to be forwarded by the switch 100 (FIG. 1). [Emphasis added]

Thus, the data in Brown is forwarded based on the Multicast Path Code, VLAN ID, and the ingress port number, not based on the correlation of a VLAN number as in the present claims. Therefore, Brown does not disclose "one or more Layer 2 switches including one or more output ports associated with a VLAN group, wherein the Layer 2 switches are operable to receive the broadcast content based on the VLAN number and transmit the broadcast content from at least one of the one or more output

ports according to a correlation between the VLAN group and the VLAN number," as in claim 1.

On page 3 of the Office Action, it is asserted that Brown, col. 5, line 51 through col. 6, line 30 and col. 9, lines 4-35 discloses "one or more receiving terminals including a Layer 2 interface, wherein the receiving terminals are operable to receive, according to the predetermined schedule, the broadcast content from one of the one or more Layer 2 switches by setting the Layer 2 interface to the VLAN number for a predetermined scheduled time period. As discussed above, Brown does not disclose "the predetermined schedule." Brown further does not disclose "setting the Layer 2 interface to the VLAN number for a predetermined scheduled time period." Nothing in the cited text disclose on a terminal setting a VLAN number for a predetermined scheduled time period.

Claim 5 recites similar features as claim 1. Therefore, for at least the reasons stated above, claims 1 and 5 and the claims dependent therefrom are patentably distinguishable from Brown.

Withdrawal of the rejections is respectfully requested.

REJECTIONS under 35 U.S.C. § 103

Claims 9 and 10 stand rejected under 35 U.S.C. § 103(a) as being obvious over Brown in view of Ambe, U.S. Patent No. 6,873,602. The Applicant respectfully disagrees and traverses the rejection with an argument. Ambe adds nothing to the

deficiencies of Brown as applied to the independent claims. Therefore, Brown and Ambe, taken separately or in combination, fail to render obvious the features of claims 9 and 10.


SUMMARY

It is submitted that the claims satisfy the requirements of 35 U.S.C. §§ 102 and 103. It is also submitted that claims 1, 4, 5 and 8-10 continue to be allowable. The claims are therefore in a condition suitable for allowance. An early Notice of Allowance is requested.

The Commissioner is hereby authorized in this, concurrent, and future replies, to charge payment or credit any overpayment to Deposit Account No. 25-0120 for any additional fees required under 37 C.F.R. § 1.16 or under 37 C.F.R. § 1.17.

Respectfully submitted,

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